UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1997/24
10 January 1997
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 JANUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 8 January 1997 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning the continuing violations of the territory and airspace of the Republic of Iraq being committed by Turkish armed forces.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

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Annex

Letter dated 8 January 1997 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

I refer to my letter of 5 December 1996 concerning the continuing violations of the territory and airspace of the Republic of Iraq being committed by Turkish armed forces (S/1996/1018, annex) and should like to inform you that, on a variety of pretexts, such forces are still engaging in military operations inside Iraq's territory and in its airspace. The particulars are set forth hereunder.

1. On 18 November 1996 Turkish fighter aircraft bombarded the Iraqi villages of Harunah and Baytas.

2. On 20 November 1996 Turkish fighter aircraft bombarded the Iraqi village of Harunah.

3. Between 1525 and 1540 hours on 23 December 1996 two sorties by Turkish fighter aircraft were detected inside Iraqi airspace in the Amadiyah area.

4. On 30/31 December 1996 Turkish armed forces violated Iraqi territory and Iraqi airspace when ground forces estimated at brigade strength supported by fighter aircraft penetrated Iraqi territory to a depth of 3 kilometres in the Zakho area of northern Iraq.

In conveying to you the details of these Turkish violations, the Government of Iraq expresses its condemnation of such acts of military aggression. It does so because the practices of the Turkish forces, as represented by their repeated shelling of towns and villages in Iraq and their unlawful incursions into Iraqi territory, are in flagrant violation of Iraq's sovereignty and the inviolability of its territory and airspace, just as they are incompatible with relations of good-neighbourliness, the Charter of the United Nations, the norms of international law and the 1926 Iraq-Turkey boundary agreement. These practices may also undermine stability in the region as a whole, which is suffering primarily from the anomalous situation created by the United States of America and its allies in northern Iraq.

As stated in my previous letter, the Turkish Government bears full international responsibility for the acts of aggression it commits inside Iraqi territory and for all their consequences, regardless of the alleged reasons it gives.

The Government of Iraq reserves its legitimate right under international law to seek compensation for the damage caused by these Turkish violations of its territory and its airspace and for the human suffering inflicted on Iraqi citizens by these actions. Through you, it renews its call to the Government of Turkey to reconsider its policy with respect to the situation in northern Iraq, to promote the collaboration of the two countries on the basis of considerations

of good-neighbourliness and mutual respect for sovereignty and to eliminate the reasons for the persistence of a situation that jeopardizes the interests of both countries.

As, through you, I reiterate my country's call to its Turkish neighbours to respect Iraq's sovereignty and territorial integrity, I express the hope that the United Nations will meet its responsibilities as laid down in the Charter and that it will halt the intimidation and aggression to which my country is constantly being subjected.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq